MR. P. N. KRISHNA PILLAI (*Ag. Secretary to Government*): (*a*) The Ag. Excise Commissioner, Mr. K. Govinda Pillai, reported that, having regard to the opium and ganja consumed in the shop, it was not worth more than Rs. 3,900 per annum and that any further increase would not leave a margin of profit to the purchaser who would have to resort to illicit practices, that the offer of a higher amount by Mr. Joseph was due to blind speculation and spite against Mr. Krishna Pillai who offered Rs, 3,900 for it, that Mr. Joseph failed to appear at the auction to bid for the shop and that the shop was not really intended for him but for another to whom it would be undesirable to give it. Mr. Govinda Pillai having for these reasons recommended the rejection of the offer of Mr. Joseph, the shop was given to Mr. Krishna Pillai.

(*b*) From 1099. He has made no default and he has not been punished.

(*c*) The Member is referred to the answer to part (*a*).

(*d*) There has been no loss by the sale of the shop, because the rental fetched was commensurate with its real value. If a person who has failed to attend an auction subsequently makes a higher offer by a petition out of blind speculation and spite against the purchaser and acting as a tool of an undesirable person, the rejection of such an offer by Government is not a loss.

Irregularity in the sale of the Opium and Ganja shop at Quilon.

198. MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): (1) (*a*) Will the Government be pleased to state whether the day settled for auctioning the opium and ganja shop at Quilon for the year 1101, and which was notified in the *Government Gazette*, was a holiday?

(*b*) Was the auction conducted on that day?

(*c*) If not, what was the next date fixed for the auction?

(*d*) Has it been notified in the *Government Gazette*?

(*e*) If not, why?

(2) Did Mr. Joseph offer to bid that shop for Rs. 5,025? What was the action taken upon that offer and what was the order passed thereon?

(3) After the receipt of this offer from Mr. Joseph, did the Excise Commissioner recommend to the Government that the contract for this shop should be given to Mr. Aiyappan Pillai Krishna Pillai for Rs. 4,645?

(4) When was the auction for the opium and ganja shop at Quilon for 1101 confirmed?

(5) How and under what terms is the sale conducted at present in this shop?

(6) Is it Mr. Aiyappan Pillai Krishna Pillai himself who now conducts the sale in this shop?

(7) Why was the contract for this shop given for a lower rental?

(8) (*a*) When Mr. Joseph of Lakshmivilakam Bungalow presented himself in the Excise Commissioner's office on the 16th Karkatakam 1100 in accordance with the memo issued to him to that effect, did the

LIBRARY ARCHIVES Kerala Legislative Assembly

Excise Commissioner ask him to withdraw his application in respect of the opium and ganja shop at Quilon ?

(*b*) Was Mr. Joseph then threatened with cancellation of his license for the Trivandrum shop in case he did not withdraw the application ?

(*c*) Will the Government be pleased to enquire into the matter ?

(9) (*a*) Did the Excise Commissioner recommend to the Government that Mr. Joseph's license for the opium and ganja shop at Trivandrum should be cancelled ?

(*b*) If so, what were the reasons for his recommendation ?

MR. P. N. KRISHNA PILLAI (*Ag. Secretary to Government*) :

(1) (*a*) Yes.

(*b*) No.

(*c*) 12th Edavam 1100.

(*d*) No.

(*e*) The auction sale was held after due local publication as there was no time for publication in the *Government Gazette.*

(2) (*a*) Mr. Joseph offered Rs. 5,025 for the shop on the 1st Edavam 1100, *i. e.*, before the date originally fixed and published in the *Gazette.* An enquiry was made upon the petition and the conclusion come to was that the offer could not be genuine as it was made without any knowledge of the condition of the shop. Mr. Joseph had no intention to attend the auction sale of the shop. This was clear not only from the fact that the offer was made before the date fixed for the auction sale but also from a statement made by him at an enquiry subsequently held by the Excise Commissioner. For these reasons, Mr. Joseph's offer was rejected by the Government.

(3) No. The Excise Commissioner made his recommendation for the confirmation of the sale of the shop before Mr. Joseph's petition was sent to him for report.

(4) On the 29th November 1925.

(5) The question is not clear. If the Member means how the shop was conducted till the date of confirmation of its sale, the answer is that it was conducted departmentally.

(6) Yes, since he is the auction purchaser in whose name the shop has been confirmed by Government.

(7) The Member is referred to the answer to part (2).

(8) (*a*) and (*b*) The answers are in the negative.

(*c*) Government do not think that there is any need to make an enquiry.

(9) (*a*) and (*b*) Mr. Joseph made certain allegations against the Excise Commissioner in his petitions. The Excise Commissioner suggested that Mr. Joseph might be called upon to prove them, failing which the license issued to him might be cancelled.

LIBRARY ARCHIVES Kerala Legislative Assembly